

US EPA RECORDS CENTER REGION 5



515974

**PROCEDURES FOR DOCUMENTING COSTS
FOR
CERCLA §107 ACTIONS**

**OFFICE OF WASTE PROGRAMS ENFORCEMENT
JANUARY 30, 1985**

IV. COST DOCUMENTATION PROCESS

The case development team's first task in §107 cost documentation is to fill out a Cost Recovery Checklist (See Appendix D). To assure successful documentation, it is imperative that the checklist be accurate and complete. The checklist serves as the basis for all cost document collection. Incomplete checklists will not be processed and will be returned to the Region for completion. For new §107 case referrals, the checklist should be completed and sent to OWPE allowing at least six weeks for document collection. The checklist should also be delivered to the appropriate Regional office with responsibility for compiling Regional costs and documents. This will help ensure that all cost documentation will be completed on a timely basis. This timing assumes that demand letters will be sent simultaneously with the referral to Headquarters. Cost documentation should be complete before issuing a demand letter³ or referring the case to Headquarters. If the Regions wish to receive the cost documents earlier, for demand letter purposes, they must submit the completed checklists earlier. Completed checklists should be sent to:

Barbara Grimm
Office of Waste Programs Enforcement
WH-527
U.S. EPA
401 M. Street
Washington, D.C. 20460

³/The authority to issue demand letters on cases before referral to the Department of Justice was delegated to the Regional Administrators in March 1984. Please see Appendix J for a copy of the delegation memorandum. Once a case is referred, demand letters are to be sent by the DOJ attorneys.

Documentation Collection Responsibilities

Successful documentation of costs for \$107 cases will require the close cooperation and coordination of Superfund legal, program, enforcement, and financial offices both in the Regions and in Headquarters and with Justice Department attorneys. Each of these offices will have certain responsibilities in the collection and packaging of cost documentation.

1. Regional Responsibilities

A Regional member of the case development team should be selected to coordinate the Regional and Headquarters cost documentation. That team member must work with the Regional Financial Management Office to successfully complete Regional cost documentation responsibilities. The case development team member will be responsible for completing the checklist and collecting, packaging and summarizing⁴ the following categories of costs:

a. State Cooperative Agreement:

Documentation: SPUR

Copy of Cooperative Agreement

Copy of letter of credit and record of drawdown.

⁴/See Appendix E for copy of a sample summary.

Summary of Cooperative Agreement: Includes date of agreement, brief description of work, name of state, total amount of agreement, and if not completed at time of documentation, amount spent to date.

Note: Additional backup documentation will be required from the states. Guidance on the appropriate documentation and the method for obtaining it will be issued at a later date.

- b. **Regional Payroll:** This includes site-specific payroll charges by any Regional employee⁵, including Regional Lab employees.

Documentation: SPUR

Employee Timesheets and Timecards

Summary of Payroll: Includes employee name, title, number of hours charged to site,

The regions must review the timesheets against the timecards and the SPUR, note and notify FMD to correct any inaccuracies. The timesheets are the original record of site-specific payroll charges and should be considered as the basis for payroll documentation.

⁵/Criminal investigators performing site-specific work may charge their payroll against the Superfund site-specific account. Employee information and amounts charged to the site should be deleted from the cost recovery documentation.

c. Regional Travel: This includes site specific travel charges by any regional employee.

Documentation: SPUR

Employee travel authorization, paid travel vouchers and any corresponding treasury schedules.

Summary of Travel: Includes employee name, title, dates of travel, dollars charged per trip.

The Regions must review the travel documentation against the SPUR, and notify FMD to correct any inaccuracies. The approved and paid travel vouchers serve as the basis for travel documentation.

d. Other Regional Direct Costs: This includes site-specific supplies or services which may be purchased by a Region under its individual allowance. These charges may appear on the SPUR.

Documentation: SPUR

Purchase Orders

Summary: Includes description of other direct site expenditures, dates of expenditures and amounts.

2. Financial Management Division Responsibilities

Upon receipt of a completed checklist, OWPE will request FMD to provide documentation for site-specific charges included in the Financial Management System (except for the Regional documentation listed above). Documentation collected by FMD will be submitted to OWPE. The FMD documentation covers the following categories of costs:

- a. Site-Specific Contracts: This includes OSC contracts, ERCS contracts, REM portion of the REM/FIT Contracts, REM II Contract

Documentation: SPUR

Copies of paid invoices

Copies of Contract Status Notifications

Copies of corresponding treasury schedules

FMD must reconcile the paid invoices against the SPUR and note and correct any inaccuracies.

- b. Inter-Agency Agreements (IAG): Includes site-specific reimburseable and transfer allocations as requested by OWPE

Documentation: SPUR

Copy of the IAG

Copy of vouchers and schedule of withdrawals

Copy of monthly status report for transfer allocations.

Note: Additional backup documentation may be required from other federal agencies. Guidance on documents required and procedures

for collection is currently under development.

- c. Contract Laboratory Program Contract (CLP): This includes all standard analytical services provided by the CLP. It does not include the Contract Lab Management Contract (see next section).

Documentation: After receipt of a site-specific invoice list from OWPE, FMD will supply the contract lab invoices and corresponding Treasury Schedules and contract status notifications.

- d. Other Superfund Contracts: This includes site-specific work contracted under Superfund that is not invoiced site-specifically.

Documentation: On a quarterly basis, FMD will supply to OWPE an update of copies of the invoices, contract status notifications and treasury schedules for the following contracts:

TAT

(Current contractor: Roy F. Weston
Contract No. 68-01-6669)

FIT portion of REM/FIT

(Current Contractors: NUS,
CH₂MHill: FIT Subcontractor: E & E
Contract Nos. 68-01-6699, 68-01-6692)

TES I

(Current Contractor: GCA
Contract No. 68-01-6769)

TES II

(Current Contractor: PRC
Contract No. 68-01-7037)

CLP Management

(Current Contractor: VIAR
Contract No. 68-01-6702)

EERU Contract

(Current Contractor: IT Corp.
Contract No. 68-03-3069)

EMSL Contract

(Current Contractor: LEMSCO
Contract No. 68-03-3049)

NEIC CONTRACT

(Current Contractor: TECH LAW
Contract No. 68-01-6838)

- e. Headquarters Payroll: This includes site-specific payroll charges by any headquarters employee (OWPE, OERR, OECM, ERT, etc.)

Documentation: SPUR

Timecards

- f. Headquarters Travel: This includes site specific travel charges by any Headquarters employee.

Documentation: SPUR

Copies of travel authorizations

Copies of paid travel vouchers and any corresponding Treasury Schedules.

FMD must review the travel documentation against the SPUR and note and correct any inaccuracies. The approved travel vouchers serve as the basis for travel documentation.

3. OWPE Responsibilities

OWPE plays the major role in requesting case cost documentation, tracking receipt of documents, and packaging and summarizing of cost documents. OWPE will be responsible for the following cost documentation:

- a. **FIT Contract Costs**: Includes site-specific costs incurred under the Field Investigation Team contracts, which are part of the REM/FIT contracts.

Documentation: OWPE will request the FIT contractors to provide a summary of site-specific costs incurred under the contract. The summary will include: total costs, break out of costs by labor, travel, subcontractors, and materials, TDD numbers and associated hours, dates of work and brief summary of work performed. OWPE will provide copies of TDDs, invoices, contract status notifications and corresponding Treasury Schedules for dates of work.

- b. **TAT Contract Costs**: Includes all site-specific cost incurred under the Technical Assistance Team contracts.

Documentation: OWPE will request the TAT contractors to provide a summary of site-specific costs incurred under the contract. Summary will include total costs,

break out of costs by labor, travel, subcontractors, equipment, TDD numbers and associated hours, dates of work and brief summary of work. OWPE will provide copies of TDDs, invoices, contract status notifications and corresponding Treasury Schedules for dates of work.

- c. Remedial Contract Costs: Includes all work done under the REM portion of the REM/FIT contracts and the REM II Contract.

Documentation: Although most of the work tasked under these contracts are recorded site-specifically in FMS, there is some site-specific work which is not. This work includes: RAMPS, community relations work, enforcement support and laboratory work. OWPE will request the REM contractors to supply a summary of all direct site response work tasked under the contract.

Documentation: Summary will include total costs, breakout of costs by labor, travel, subcontractors and equipment, work assignment numbers and associated hours, dates of work and brief summary of work. OWPE will provide copies of paid invoices, contract status notifications and corresponding Treasury Schedules.

- d. Contract Lab Program Costs: This includes all site-specific costs incurred under the CLP; both special analytical services and standard lab analyses.

Documentation: The operation of the sample management office is contracted to VIAR, Inc. OWPE will request VIAR to provide a listing and summary of all samples and analytical services for a site. The summary will include total CLP costs and break out between special analytical services and standard services. The listing of samples will include contract name and number, sample number, invoice number and cost per sample. VIAR will provide, for special analytical services, copies of the paid invoices. OWPE will provide copies, requested from FMD, of the standard services invoices and VIAR paid invoices, contract status notifications and Treasury Schedules.

- e. TES Contract Costs: This includes all site-specific costs incurred under the TES contracts.

Documentation: OWPE will request the contractor to provide a summary of site-specific work conducted under the contract. Summary will

include total costs, break out of costs by labor, travel, subcontractors, equipment, work assignment numbers and associated hours, dates of work and brief description of work performed. OWPE will provide copies of the work assignments, paid contract invoices, contract status notifications and Treasury Schedules.

- f. EERU Contract: This includes all site-specific work provided under EERU's contract.

Documentation: OWPE will request ERT to provide a summary of site-specific work provided under the contract. The summary will include total site costs, dates of work, brief description of work, break out of costs by labor, travel and subcontractors. OWPE will provide copies of paid invoices, contract status notifications and Treasury Schedules.

- g. NEIC Costs: This includes site-specific work done through NEIC, both NEIC employees and contractors

Documentation: OWPE will request NEIC to provide site-specific employee timesheets and travel documentation and a cost summary which is to include cost break out by employee payroll and travel, contractor

costs, contractor and contract number, brief summary of work and dates of work. If contractor was used, OWPE will supply copy of paid invoices, contract status notifications and corresponding Treasury Schedules for period of work.

- h. Overflights:** Includes site-specific aerial photography and related work done through EMSL and EPIC.

Documentation: OWPE will request EMSL and EPIC to provide summary of site specific aerial photographic costs which is to include break out by labor and materials, contractor costs, contract number and dates of work. If contractor was used, OWPE will supply copies of paid invoices and corresponding Treasury Schedules for period of work.

- i. Headquarters Payroll:** This includes site-specific payroll charges by any Headquarters employee including OWPE, OEMC, ERT, and OERR.

Documentation: SPUR from FMD

Employee Timesheets (OWPE will request other headquarters offices to supply their employees' timesheets).

Summary of HQ Payroll: Includes Employee name, title, number of hours charged, total payroll dollars per employee

OWPF must review the timesheets against the SPUR note and have corrected any inaccuracies. The timesheets are the original record of site-specific payroll charges and should be considered the basis for payroll documentation.

j. Headquarters Travel: Includes site-specific travel charges by any HQ employee.

Documentation: To be supplied by FMD.

Summary: Includes employee name, title, dates of travel dollars charged per trip.

4. DOJ Responsibilities

This includes all site-specific litigation support costs incurred by the Department of Justice under Superfund interagency agreements.

Documentation: The DOJ representative on the Case Development Team is responsible for collecting and summarizing DOJ litigation support costs. Documentation should include employee timesheets, travel authorizations and vouchers. A copy of the summary for DOJ costs should be sent to OWPE.